

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

KINERA LOVE,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO.3:06cv1147-MHT
)	
DOLLAR GENERAL CORPORATION,)	
d/b/a DOLGENCORP, INC.,)	
)	
Defendant.)	

ORDER

Upon consideration of plaintiff's' motion to compel (Doc. # 22), filed January 23, 2008, and for good cause, it is

ORDERED that the motion to compel be and hereby is DENIED without prejudice. Counsel are DIRECTED to meet and confer in person or by telephone on or before February 18, 2008 concerning the subject of the motion. Plaintiff's counsel shall initiate the conference.¹ At that time, counsel shall make a good faith effort to resolve the issues. The motion to compel may be renewed if counsel cannot resolve this matter satisfactorily. If the motion is renewed, the Court will consider sanctions against the losing party in accordance with Fed. R. Civ. P. 37(a)(4) in the absence of substantial justification for the losing party's position.

¹ The court requires this conference in part because plaintiff did not certify pursuant to Federal Rules of Civil Procedure 26(c) and 37(a)(2)(B) and ¶ 5 of the General Order of this court entered on November 22, 1993, that her counsel made a reasonable good faith effort to reach agreement with opposing counsel on the matters set forth in the motion prior to filing the motion.

DONE, this 11th day of February, 2008.

/s/ Susan Russ Walker

SUSAN RUSS WALKER
UNITED STATES MAGISTRATE JUDGE